UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,778	07/24/2001	Hidehiko Okada	040405-0341	3552

22428 7590 03/09/2007

FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER	
TAN, ALVIN H	
ART UNIT	**PAPER NUMBER**
2173	

MAIL DATE	DELIVERY MODE
03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 09/910,778	**Applicant(s)** OKADA, HIDEHIKO	
	Examiner Alvin H. Tan	**Art Unit** 2173	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 February 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☒ The period for reply expires *4* months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: *1-60*.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

TADESSE HAILU
Patent Examiner

Response to Arguments

In additional support to the instant rejections, the Examiner respectfully notes that the prior art still teaches the claimed invention.

Regarding claim 1, Applicant argues that there is no teaching in Bickmore (U.S. Patent No. 6,857,102 B1) of sending only data in an active window in the limited display area of the limited display area device. Contrary to Applicant's arguments, the combination of Paroz (U.S. Patent No. 6,587,125 B1), Bickmore, and Fagioli (U.S. Patent No. 6,710,790 B1) teach the limitation. Paroz teaches that when a program is first selected by a remote user, a local server activates the program and the window analyzer generates a web page for each layout of the program *[Paroz, column 8, lines 51-56]*. A layout is a set of widgets in predetermined geographic configuration onscreen, such as an application window or dialog box *[Paroz, column 6, glossary]*. Each web page may be customized for use with specific computing devices such as a cell phone *[Paroz, column 8, lines 57-65]*.

Fagioli teaches tracking the active window of a host comptuer in a remote computer display window. The viewport which determines which portion of the host computer display image is reproduced within the remote application display window can automatically be adjusted so as to display the portion of the host computer display image which includes the currently active host window *[Fagioli, column 2, lines 29-35]*. This is useful in situations where it is not possible to duplicate the entire host computer

screen on the remote computer *[Fagioli, column 1, lines 36-44]*. This invention identifies the part of the display the user would be most interested in seeing, i.e. the active window.

Bickmore teaches providing devices with limited communication bandwidth and small displays to have access to web pages using re-authoring and filtering systems *[Bickmore, column 4, lines 65-67; column 5, lines 1-4]*. The automatic document re-authoring and document filtering systems intercept requests for documents from a distributed network and returns re-authored versions of the requested documents rather than the orignial requested documents *[Bickmore, column 5, lines 5-9]*. Thus, only data from a requested document will be re-authored and displayed. This would allow a user to only see a single requested document and only those portions of the document that the user is interested in, conserving wireless bandwidth and device memory *[Bickmore, column 3, lines 21-30]*.

Since Paroz teaches providing an operation side terminal, which may be a mobile phone or some other device with a limited display area, with a set of web pages that allow the user to control a first computing device *[Paroz, column 8, lines 57-65]*, it would have been obvious to one of ordinary skill in the art at the time the invention was made to determine an active window on the display, as taught by Fagioli, and perform the re-authoring and filtering system of Bickmore on the determined active window. This would allow the mobile device to display information the user would most want to see while also conserving wireless bandwidth and device memory.

Applicant argues that Bickmore fails to teach the screen information transmission means provided at a device to be operated. Contrary to Applicant's arguments, the combination of Paroz, Bickmore, and Fagioli teach the limitation. Paroz teaches that a mediator sends the second computing device a set of DHTML or WML pages which allow the user to control the first computing device *[Paroz, column 8, lines 19-23]*. As shown in *[Paroz, figure 2]*, the mediator may be located on the device to be operated. As shown in *[Bickmore, figure 6]*, a limited display area device *[Bickmore, 510, figure 6]* is connected to a host node *[Bickmore, 570, figure 6]* from which it requests a web page from the host node *[Bickmore, column 14, lines 25-45]*. In order to provide the limited display area device with a suitable display of the requested web page, an HTTP proxy server executing on the host node re-authors the requested document and trasmits it to the limited display area device *[Bickmore, column 14, lines 46-64; figure 6]*. As discussed above, it would have been obvious to include the active window tracking system of Fagioli and the re-authoring and filtering system of Bickmore with the remote control system of Paroz. Thus, the active window of the device to be operated would be generated into a web page by the remote control system of Paroz, re-authored using the system of Bickmore, and finally trasmitted to the operation side terminal by the trasmission means. The trasmission means, as discussed in *[Bickmore, column 14, lines 46-64]*, is located on the device providing the web page (as discussed for a web page located locally in *[Bickmore, column 14, lines 25-32]*). Since the device to be operated on provides the web page, the transmission means would be located on the device to be operated. Consequently, and given the broadest, most reasonable

interpretation of their claim language, Paroz, Bickmore, and Fagioli are still considered to teach claim 1 and related independent claims 18, 35, and 48.

Regarding claims 15 and 16, Applicant argues that Paroz is missing an essential feature of the claims, in which the screen of the device to be operated includes both picture information and non-picture information, and in the case where only non-picture information is provided on the screen of the device to be operated, the screen analysis means does not perform any analysis (the non-picture information is ignored), whereby the screen information transmission means does not transmit anything to the operation side terminal in that instance. However, nowhere in the claims recite the limitation when only non-picture information is provided on the screen of the device to be operated, the screen analysis means does not perform any analysis, whereby the screen information trasmission means does not transmit anything to the operation side terminal. The claim only recites ignoring the non-picture information when moving picture or still picture is not displayed on the screen of said device to be operated. Examiner notes that non-picture information may be braodly interpreted as any type of information that is not the actual picture being displayed. Contrary to Applicant's arguments, Paroz teaches that the visual status monitor may obtain embedded images in the GUI, which are transmitted to the mediator for display on the second computing device *[Paroz, column 9, lines 45-67; column 10, lines 1-11]*. Additionally, Paroz teaches analyzing the static and dynamic logic of the first computing device's user interface and creating an equivalent user interface, wherein said static and dynamic logic is substantially

replicated and sending the equivalent user interface to a second computing device where it is implemented *[Paroz, column 3, lines 49-62]*. Thus, in addition to detecting images in the GUI, the static and dynamic logic needed to recreate the user interface, including information needed to replicate the position/size of the images as well as the logic to recreate operations on those images, is analyzed in the screen analysis means. Thus, each picture includes two types of information - picture information which is the pixel information representing the brightness and color needed to display the picture and non-picture information associated with the picture which includes information about any operations that may be performed on the picture and how to handle them. In accordance with the claim language, when moving picture or still picture is displayed on the screen of said device to be operated along with non-picture information (the information about any operations that may be performed on the picture), the screen analysis means extracts picture data for display on said operation side terminal. If no moving or still images were shown on the first computing device's user interface, screen analysis would not perform any picture data extraction, including analyzing the logic of those images, because there would be none to perform. Consequently, and given the broadest, most reasonable interpretation of their claim language, Paroz, Bickmore, and Fagioli are still considered to teach claims 15 and 16.